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10/6/05

United States Environmental Protection Agency  
Region V  
POLLUTION REPORT

EPA Region 5 Records Ctr.



238725

**Date:** Thursday, October 06, 2005

**From:** Mike Ribordy, OSC

**To:** David Chung, U.S. EPA  
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**Subject:** Initiation of Action  
Tower Hill Road-OU1  
114 Tower Hill Road, Gilberts, IL  
Latitude: 42.1053  
Longitude: -88.3761

<b>POLREP No.:</b>	1	<b>Site #:</b>	B59Q
<b>Reporting Period:</b>	06/01/05 - 10/06/05	<b>D.O. #:</b>	
<b>Start Date:</b>	6/1/2005	<b>Response Authority:</b>	CERCLA
<b>Mob Date:</b>	6/1/2005	<b>Response Type:</b>	Time-Critical
<b>Completion Date:</b>		<b>NPL Status:</b>	Non NPL
<b>CERCLIS ID #:</b>		<b>Incident Category:</b>	Removal Action
<b>RCRIS ID #:</b>		<b>Contract #</b>	

**Site Description**

The Tower Hill Road Site is located in the Village of Gilberts, Kane County, Illinois, just west of the Chicago and Northwestern Railway tracks between Mill and Jackson Streets. The Site is divided into two operable units (OU) to reflect the separate ownership.

The westernmost unit is OU-1 and is located on the eastern portion of an approximately 4.99 acre parcel of real property commonly known as 114 Tower Hill Road, Gilberts, Illinois. The 114 Tower Hill Road property is currently owned by NextMedia and consists of vacant farm land and wetlands. A radio transmission tower is located on the northern portion of the NextMedia property and is the only structure on the property.

OU-2 is owned by the Village of Gilberts and the Union Pacific Railroad. It is located immediately east of OU-1. U.S. EPA has documented in a separate action memorandum its determination of an imminent and substantial threat to public health, welfare, and to the environment posed by the presence of elevated levels of lead and arsenic in soils (both at the surface and at depth) at the Tower Hills Road Site-OU-2.

The Tower Hill Road Site is located immediately west of a mixed residential/commercial area. With the exception of the open excavation located within OU-1, the Site is not fenced.

To the immediate north of the Site is a residence currently occupied by a family that includes a son believed to be between five and ten years of age. Immediately east of the Site is a railroad track and right of way operated by the Chicago and Northwestern Railroad but apparently owned by the Union Pacific Railroad. The tracks and right-of-way are 100 feet wide. East beyond the railroad right-of-way are a number of residences, the Village Hall and small businesses. The nearest residences to the east are less than 200 feet from the Site. Approximately 58 homes are located within one mile of the Site. The southern portion of the Site consists of a park and an approximately 300 foot wide swath of wetlands. Farm fields lie to the west of the Site.

U.S. EPA and Illinois Environmental Protection Agency (Illinois EPA) representatives have talked with local residents and public officials in order to get information about the Site's history. Residents and local officials have advised U.S. EPA that Raymond L. McNew, Sr. operated a battery cracking/lead recycling facility on the Site during the early to mid-1960's. Mr. McNew is also reported to have accepted scrap of all types at the Site. Mr. McNew apparently leased portions of the Site from a person known as Mr. Hennessy. Mr. McNew apparently broke open the battery casings and allowed the acid material to drain on the ground. He removed the lead from the batteries and stored the lead on the Site. Mr. McNew is reported to have operated the battery recycling facility at the Site for several years before he relocated his operation to an area approximately 600 feet to the north. U.S. EPA refers to this northern area as the Gilberts/Kedzie Site.

On June 3 and 4, 2004, the Illinois EPA Office of Site Assessment, in cooperation with U.S. EPA conducted an assessment on the Tower Hill Road Site. During the assessment of Tower Hill Road Site-OU-2, Illinois EPA and U.S. EPA assessed approximately 50 sampling locations using a Geoprobe coring device and a field-based XRF. Nine additional soil samples were collected and sent to Region 5's Central Regional Laboratory for analysis. Total lead concentrations up to 48,000 ppm were detected in the upper one foot of soil, with a concentration of 44.4 mg/L pursuant to the TCLP.

In early June 2004, and unbeknownst to U.S. EPA, NextMedia began a cleanup of what U.S. EPA now refers to as Tower Hill Road Site OU-1. The cleanup consisted of the excavation and removal of lead-contaminated soils. U.S. EPA and Illinois EPA became aware of NextMedia's cleanup activities on or about July 15, 2004.

On July 23, 2004, U.S. EPA met on the Tower Hill Road Site with representatives of the Illinois EPA, the Illinois Office of the Attorney General, the Office of the State's Attorney of Kane County, Illinois, and the Village of Gilberts. NextMedia's environmental consultant, URS, also sent a representative to the meeting.

During the July 23, 2004, meeting, U.S. EPA representatives observed an excavation approximately 60 feet wide, 90 feet long and 4 feet deep. There was some water pooling in portions of the excavation. The excavation was surrounded by orange plastic fencing. The

excavation is believed to be located adjacent to a 100-year flood zone. Wetland vegetation is visible almost immediately to the south of the excavation.

U.S. EPA representatives observed an intact 55-gallon drum in the south wall near the southeast corner of the excavation. The walls of the excavation were riddled with black plastic battery casing fragments. The black plastic battery casing fragments observed in the walls of the excavation are identical in appearance to those black plastic battery casings found on the Gilberts/Kedzie Site north and on the Tower Hill Road Site-OU-2. U.S. EPA's observations support the conclusion that the battery recycling operations took place within the boundaries of both OU-1 and OU-2, and that surficial soils at both locations are contaminated with lead.

On July 25, 2004, U.S. EPA requested that NextMedia suspend cleanup operations at the Tower Hill Road Site-OU-1 until the parties have executed an Administrative Order On Consent. NextMedia agreed to suspend operations and to replace the orange plastic fence surrounding the excavation with a chain link fence.

On August 26, 2004, U.S. EPA signed an Enforcement Action Memorandum for the Tower Hill Road Site-OU1 which documented the determination of an imminent and substantial threat to public health, welfare, and to the environment posed by the presence of elevated levels of lead in soils.

On November 29, 2004, an Administrative Order on Consent, was signed. This Order requires Nextmedia Operating, Inc. to submit and implement a Work Plan to address the environmental concerns in connection with the Tower Hill Road Site-OU1.

### **Current Activities**

On June 1, 2005, URS Corporation (URS) mobilized to the site to begin site preparation activities. In accordance with the U.S. EPA approved work plan, these activities consisted of the following: 1) Transfer of surficial battery casing fragments and immediately underlying soils to areas of the site requiring treatment; 2) Removal of trees, brush, and used tires; 3) Installation of temporary gravel access road; and 4) fencing the remediation area. Site preparation activities were completed on June 2, 2005.

### **Phase I - North and West Walls of Existing Excavation**

Following the site preparation activities, URS began Phase I delineation sampling of the north and west walls of the existing excavation area. Delineation along the west wall focused initially upon the surficial battery casings. The casings extended to a depth of approximately 2-3 feet below ground surface (bgs), and approximately 28 feet west of the existing excavation. URS screened four delineation samples and four corresponding confirmation samples with a portable X-Ray Fluorescence (XRF) meter prior to submittal for laboratory analysis.

Delineation along the north excavation wall extended out approximately 24 feet north of the northeast corner of the existing excavation. Three delineation samples and three

confirmation samples were collected. These samples were screened with the XRF prior to submittal for laboratory analysis. URS completed its delineation sampling activities along the north and west excavation walls on June 3, 2005.

URS treatment of the north and west excavation walls began on June 20, 2005, and was completed on June 22, 2005. Three confirmation samples were collected of the treated material and were analyzed for Toxicity Characteristic Leaching Procedure (TCLP) for lead. Once analytical results confirmed the material was appropriately treated, removal of treated material was conducted on July 7-8, 2005. A total of 54 truckloads of treated material was removed and transported to a CERCLA approved Orchard Hills Landfill located in Davis Junction, Illinois. It is estimated that approximately 1000 cubic yards of material was treated and disposed. URS collected a total of twelve confirmation floor samples and five confirmation side wall samples from the excavation area. Backfilling of the excavated area occurred during the week of July 25, 2005.

#### Phase IV - Wetland Area

On June 16, 2005, URS initiated Phase IV (Wetland Area) of the work plan. URS collected two samples fifteen feet west of the Village of Gilberts public works garage. URS also collected two samples southwest of the garage. The samples collected directly west of the garage did not exceed the lead remediation standard of 400 mg/kg. The two samples collected southwest of the building had lead levels of 11,000 and 19,000 mg/kg. On July 27, 2005, U.S. EPA verbally notified URS that based on these results, U.S. EPA would require the delineation of these lead-impacted soils in a manner similar to the original excavation area.

On August 9-10, 2005, URS began delineating the extent of lead-impacted soils in the area southwest of the Village garage. URS collected soil and sediment samples for screening with the portable XRF. Delineation samples were collected after battery casings or other debris were no longer observed in accordance with the U.S. EPA approved work plan for the original excavation. Ten samples were submitted for analysis. The delineated area comprises approximately 0.27 acres requiring treatment and disposal.

On September 12, 2005, U.S. EPA requested an addendum to the existing work plan to document URS's procedures for delineating the area and proposed remediation. This addendum was approved by U.S. EPA on October 7, 2005.

#### Phase III - South Wall of Existing Excavation

Delineation of the south wall (Phase III) began during the week of August 9, 2005. Treatment of the south wall occurred from August 15-19, 2005. Once analytical results confirmed the material was appropriately treated, removal of treated material was conducted on August 29-30, 2005. A total of 32 truckloads of treated material was removed and transported to a CERCLA approved Orchard Hills Landfill located in Davis Junction, Illinois. It is estimated that approximately 500 cubic yards of material was treated and disposed.

**Planned Removal Actions**

Excavate, treat and dispose of soil with lead above the site remediation level along the east wall (Phase II) of the original excavation and in the area southwest of the Village public works garage.

**Next Steps**

Complete excavation, treatment, and disposal activities and backfill excavated areas.

**Key Issues**

Phase II (east wall of excavation) has been postponed due to the inability of URS to obtain ComEd's cooperation in bracing a utility pole in this area during excavation activities. Several more utility poles will need to be braced in the excavation area south of the Village public works garage. U.S. EPA and URS will continue to contact ComEd.

**Estimated Costs \***

	Budgeted	Total To Date	Remaining	% Remaining
<b>Extramural Costs</b>				
<b>Intramural Costs</b>				
<b>Total Site Costs</b>	\$0.00	\$0.00	\$0.00	0.00%

\* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

[www.epaosc.net/TowerHilloul](http://www.epaosc.net/TowerHilloul)